1	JACK S. SHOLKOFF, State Bar No. 1450	97	
2	jack.sholkoff@ogletreedeakins.com BETH A. GUNN, State Bar No. 218889		
3	beth.gunn@ogletreedeakins.com OGLETREE, DEAKINS, NASH,		
4	SMOAK & STEWART, P.C. 633 West Fifth Street, 53rd Floor		
5	Los Angeles, California 90071 Telephone: (213) 239-9800		
6	Facsimile: (213) 239-9045 Attorneys for Defendant, GMRI, Inc.		
7		0.4190	
8	GARRY M. TETALMAN, State Bar No. 2 garry@tetalmanlaw.com		
9	THE LAW OFFICE OF GARRY M. TETA 15 W. Carrillo Street, Suite 218	ALIVIAIN	
10	Santa Barbara, California 93101 Telephone: (805) 879-7518		
	Facsimile: (805) 456-0561		
11	LAUREN J. UDDEN, State Bar No. 83118 ludden@sbclawoffices.com		
12	THE LAW OFFICE OF LAUREN J. UDDEN 15 W. Carrillo Street, Suite 209		
13	Santa Barbara, California 93101 Telephone: (805) 879-7544		
14	Facsimile: (805) 560-0506		
15	Attorneys for Plaintiffs		
16	UNITED STATES DISTRICT COURT		
17	CENTRAL DISTRIC	T OF CALIFORNIA	
18	JESUS ALBERTO CACERES, an	Case No. CV08-06840 CAS (AGRx)	
19			
20	individual; LAURIE COX, an individual; ALLISON CARROLL, an STIPULATION AND [PROPOSED]		
21	individual; ELIAH LEFFERTS, an individual; TONY DUNN, an ACTION		
22	individual; for themselves, and on behalf of all others similarly situated,		
23	Plaintiffs,		
24			
25	GMRI, INC., a Florida corporation,		
26	doing business in California as RED LOBSTER, and DOES 1 through 52,		
27	inclusive,		
28	Defendants.		
	COMMUNITY AMAZON AND CONCESSION OF	CASE NO. CV08-06840 CAS (AGRX)	
ĺ	STIPULATION AND [PROPOSED] OF	CUEK RE: DISMISSAL OF ACTION	

STIPULATION OF DISMISSAL 1 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, plaintiffs 2 Jesus Alberto Caceres, Cynthia Strayer, Melida Novoa, Laurie Cox, Allison Carroll, 3 Eliah Lefferts, and Tony Dunn (collectively "Plaintiffs"), and the defendant, GMRI, 4 Inc., (Plaintiffs and GMRI, Inc. shall be referred to collectively herein as the 5 "Parties") by and through their counsel, stipulate and agree that this case be 6 dismissed in its entirety. 7 The Parties, by and through their counsel, further stipulate and agree that the 8 Plaintiffs' individual claims be dismissed with prejudice. 9 The Parties, by and through their counsel, further stipulate and agree that the 10 claims of the putative class be dismissed without prejudice. 11 12 The Parties, by and through their counsel, further stipulate and agree that each party shall bear costs and attorneys' fees pursuant to the written agreement of the 13 14 Parties. 15 DATED: May 28, 2009 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C. 16 17 18 19 s for Defendant Attorney GMRI, YNC. 20 DATED: May \_\_\_, 2009 21 GMRI, INC. 22 23 24 [Signatures Continue] 25 26 27

STIPULATION AND [PROPOSED] ORDER RE: DISMISSAL OF ACTION

CASE NO. CV08-06840 CAS (AGRx)

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1	DATED: May <u>30</u> , 2009	THE LAW OFFICE OF GARRY M. TETALMAN
2		A may a
3		By:
4		Garry M. Tetalman Attorneys for Plaintiffs
5		
6	DATED: May <u>30</u> , 2009	THE LAW OFFICE OF LAUREN J. UDDEN
7		A w
8		By: Lauren J. Udden
9		Attorneys for Plaintiffs
10		•
11 12	DATED: May, 2009	JESUS ALBERTO CACERES
13		Ву:
14		By:
15	DATED: May, 2009	CYNTHIA STRAYER
16		D
17		By:Cynthia Strayer
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19	DATED: May, 2009	MELIDA NOVOA
20		By:
21		Melida Novoa
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23	DATED: May, 2009	LAURIE COX
24		Ву:
25	tal a a	Laurie Cox
26	[Signatures Continue]	
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28		2 CASE NO. CV08-06840 CAS (AGRx)
	STIPULATION AND [P	ROPOSEDJ ORDER RE: DISMISSAL OF ACTION

. 1	DATED: May, 2009	THE LAW OFFICE OF GARRY M. TETALMAN
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3		By:Garry M. Tetalman
4		Garry M. Tetalman Attorneys for Plaintiffs
5		Trumineys for a manager
6	DATED: May, 2009	THE LAW OFFICE OF LAUREN J. UDDEN
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8		Ву:
9		By: Lauren J. Udden Attorneys for Plaintiffs
10		A RUIDELLOY D TOT A PROMANERO
11	DATED: May 26, 2009	JESUS ALBERTO CACERES
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13		By: // / / / / / / / / / / / / / / / / /
14		,
15	DATED: May, 2009	CYNTHIA STRAYER
16		Ву:
17		Cynthia Strayer
18	DATE: 34 2000	A ATTI TINA A NOVICO A
19	DATED: May, 2009	MELIDA NOVOA
20		By: Melida Novoa
21		Menda Movoa
22	DATED: May, 2009	LAURIE COX
23	DATED. Way, 2009	LAURID COAL
24		By:Laurie Cox
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20	A. A.	2 CASE NO. CV08-06840 CAS (AGRx)
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1	DATED: May, 2009	THE LAW OFFICE OF GARRY M. TETALMAN
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3	,	By:Garry M. Tetalman
4		Attorneys for Plaintiffs
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6	DATED: May, 2009	THE LAW OFFICE OF LAUREN J. UDDEN
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8		By:Lauren J. Udden
9		Attorneys for Plaintiffs
10		
11	DATED: May, 2009	JESUS ALBERTO CACERES
12		Dan
13		By:
14	DATED: May <u>28</u> , 2009	CYNTHIA STRAYER
15	DATED: May 20, 2009	2
16		By: Cynthia Strayer
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18	TO A TITITION IN AGE. 2000	MELIDA NOVOA
19	DATED: May, 2009	WELLIDA NO VOA
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21		Melica 140 voa
22	DATED: May, 2009	LAURIE COX
23	LICALIELD. INIAY, 2007	
24		By: Laurie Cox
25	[Signatures Continue]	Laulie Cox
26	[Signatures Continue]	
27		
28		2 CASE NO. CV08-06840 CAS (AGRx)

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1	DATED: May, 2009	THE LAW OFFICE OF GARRY M. TETALMAN
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3		By:Garry M. Tetalman
4		Attorneys for Plaintiffs
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6	DATED: May, 2009	THE LAW OFFICE OF LAUREN J. UDDEN
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8		By:Lauren J. Udden
9		Attorneys for Plaintiffs
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11	DATED: May, 2009	JESUS ALBERTO CACERES
12		By:
13   14		Jesus Alberto Caceres
15	DATED: May, 2009	CYNTHIA STRAYER
16	_	Rev
17		By:Cynthia Strayer
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19	DATED: May, 2009	MELIDA NOVOA
20		By: Welida Novoa
21		Melida Novoa
22		TATIBUTE COT
23	DATED: May, 2009	LAURIE COX
24		By: Laurie Cox
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26	[Signatures Continue]	·
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28		2 CASE NO. CV08-06840 CAS (AGRx)
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3		By:Garry M. Tetalman
4		Attorneys for Plaintiffs
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6	DATED: May, 2009	THE LAW OFFICE OF LAUREN J. UDDEN
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8		By: Lauren J. Udden
9		Attorneys for Plaintiffs
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11 12	DATED: May, 2009	JESUS ALBERTO CACERES
13		By:
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15	DATED: May, 2009	CYNTHIA STRAYER
16		By:Cynthia Strayer
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	DATED: May, 2009	MELIDA NOVOA
20		By:
21		Melida Novoa
22 23	DATED: May 27, 2009	LAURIE COX /
24	LILALIZE AVAILY EN EUR	LAURIE CUA
25		By:
26	[Signatures Continue]	· Pamie COX
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		2 CASE NO. CV08-06840 CAS (AGRx)
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1	DATED: May <u>27</u> , 2009	ALLISON CARROLL
2	See a se	By: Allian anall
3		Allison Carroll
4		
5	DATED: May, 2009	ELIAH LEFFERTS
6		By:
7		Eliah Lefferts
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9	DATED: May, 2009	TONY DUNN
10		Ву:
11		Tony Dunn
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4	DATETA 24 2000	ALLISON CARROLL
7	DATED: May, 2009	
2		By:Allison Cerroll
3	:	Amson Carron
4	77 A 77	THE LATES TO THE OWN
5	DATED: May 27, 2009	ELIAH LEFFERTS
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1		ALLISON CARROLL
2	1	R <sub>v</sub> ,
3		By:Allison Carroll
4		
.5	DATED: May, 2009	ELIAH LEFFERTS
6		$\mathbf{P}_{\mathbf{v}'}$
7		By: Eliah Lefferts
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9	DATED: May 27, 2009	TONY DUNN
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-	STIPULATION AND [PR	CASE NO. CV08-06840 CAS (AGRx)  ROPOSED ORDER RE: DISMISSAL OF ACTION

## PROOF OF SERVICE BY UNITED STATES MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 years and not a party to this action. My business address is 633 West Fifth Street, 53rd Floor, Los Angeles, California 90071.

On June 1, 2009, I served the following document(s) described as:

## STIPULATION AND [PROPOSED] ORDER RE: DISMISSAL OF ACTION

STIPULATION AND [PROPOSED] ORDER RE: DISMISSAL OF ACTION			
on th	he persons below as follows:		
THE   TETA   15 W	ALMAN '. Carrillo Si	treet, Suite 218 California 93101 S) 879-7544 S) 560-0506	Lauren J. Udden THE LAW OFFICE OF LAUREN J. UDDEN 15 W. Carrillo Street, Suite 209 Santa Barbara, California 93101 Telephone: (805) 879-7544 Facsimile: (805) 560-0506
I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses as indicated above and:			ealed envelope or package addressed to the ve and:
	deposited Service, w	the sealed envelope of the the postage fully pre	or package with the United States Postal paid.*
X	placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United State Postal Service, in a sealed envelope or package with postage fully prepaid.		
packa	I am employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.		
	I declare under penalty of perjury under the laws of the State of California that the above is true and correct.		
X	I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.		
Executed on June 1, 2009, at Los Angeles, California.			eles, California.
Tisa Hunter Type Name  Signature  Signature			Du Suntul Signature

<sup>\* (</sup>SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX OR BAG)